

**Minutes of the 1 September 2009  
Regular Business Meeting of the Yancey County Board of Commissioners  
Held at 7:00 o'clock p.m. in the Commissioner's Meeting Room  
Yancey County Courthouse, Burnsville, North Carolina**

Present at the 1 September 2009 meeting of the Yancey County Board of County Commissioners were Walter Savage, Chairman, Member Johnny Riddle, County Planner Jamie McMahan, Clerk to the Board Jason Robinson, Executive Director of Yancey County EDC Jake Blood, Chairman of the Juvenile Crime Prevention Council Joyce Watts, and members of the general public.

Chairman Savage called the meeting to order and asked for a moment of silence to be observed. Chairman Savage made a motion to approve the agenda. Commissioner Riddle seconded the motion and the vote to approve was unanimous. (Attachment A)

The Board then moved to the public comment period. The first person to be speak before the Board was Tamara Frank. Ms. Frank wanted to know why she could not get destruction records for some DSS financial records. She stated she has been asking for these since December. The next person to speak before the Board was Betsy Solar. She believes that the Commissioners are meeting outside the realm of the public meeting. She also believes that the Commissioners are employees of the people.

The Board then moved to the approval of the minutes from August. The first minutes up for consideration were from the August 4<sup>th</sup> regular meeting. Commissioner Riddle made a motion to approve these minutes and the motion was seconded by Chairman Savage. The vote to approve was unanimous. The next minutes up for consideration was from the August 10<sup>th</sup> Public Hearing. Commissioner Riddle made a motion to approve these minutes and the motion was seconded by Chairman Savage. The vote to approve was unanimous. The next minutes to be up for consideration was from the August 10<sup>th</sup> Special Meeting. Commissioner Riddle made a motion to approve these minutes and the motion was seconded by Chairman Savage. The vote to approve was unanimous. The final minutes up for consideration was from the August 26<sup>th</sup> Special Meeting. Commissioner Riddle made a motion to approve these minutes and the motion was seconded by Chairman Savage. The vote to approve was unanimous.

The Board then heard a report from the Chairman of the Juvenile Crime Prevention Council (JCPC). The JCPC is funded through the Department of Juvenile Justice, with a 20% match by the County. All the counties in North Carolina have a JCPC and all of the funds for the JCPC directly affect the youths of the county. Ms. Watts stated that one of the commissioners needs to be on the JCPC Board. She further reported that several programs are done through JCPC including Mountain Challenge, Project Challenge, youth counseling. Commissioner Riddle asked Ms. Watts how youths were referred to the program. Ms. Watts stated that there were a number of ways to youths were referred: through the school system, the Department of Social Services. A lot of the programs are done at school and they are for ages 6-18. (Attachment B)

The Board next heard from Ms. Lucy Wilson, with the Summer Funshine Camp. The camp is a camp developmentally delayed children and one of the weeks of the camp is held at Patience Park. Ms. Wilson stated that a lot of people attended the camp this year some from as far away as Haywood County. Commissioner Riddle stated that he had seen first hand how much of a difference this camp could make to a child and was proud to have helped in the camp for a little while this year. Ms. Wilson thanked the commissioners for their continued support.

The Board next heard from representatives from the North Carolina Department of Transportation. The representatives had presented the secondary road program at an early special meeting and were asking the commissioners to pass a resolution of support for the secondary road program. Upon hearing from the representatives from the DOT Commissioner Riddle made a motion to approve the secondary road resolution and the motion was seconded by Chairman Savage. The vote to approve was unanimous. (Attachment C)

County Planner Jamie McMahan then presented to the Board the contract from the North Carolina Forest Service. Mr. McMahan stated that this was a follow-up to an appropriation that was already made to have a forest ranger in the county for fire prevention. He further stated that

this was something that the state pays 60% on and the County pays 40%. Upon hearing from Mr. McMahan Chairman Savage made a motion to accept the North Carolina Forest Service contract. The motion was seconded by Commissioner Riddle and the vote to approve was unanimous. (Attachment d)

Chairman Savage then talked about a litter sweep for Yancey County. This program has been something that has been done throughout the state for many years but Chairman Savage thinks the County needs to be really involved. He stated that he would like to ask Bruce Greene to head up the litter sweep here in Yancey County.

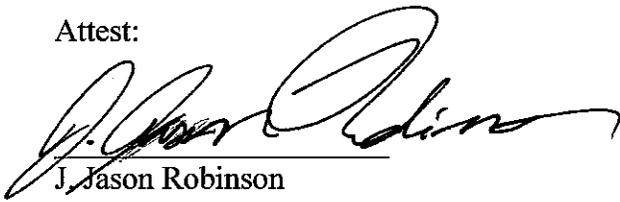
The Board then moved to the releases and refunds put forth by the Tax Assessor. Chairman Savage noted several questions that he had about these releases and refunds including why there were so many errors that needed to be fixed. Chairman Savage then made a motion to table the releases and refunds until the Tax Assessor could answer the questions by the Board. This motion was seconded by Commissioner Riddle and the vote to approve was unanimous.

Discussion followed about the activities that the commissioners had been involved with over the past month.

Having no further business Chairman Savage made a motion to adjourn and it was seconded by Commissioner Riddle. The vote to adjourn was unanimous.

Approved and authenticated on this the 3<sup>rd</sup> day of November 2009.

Attest:

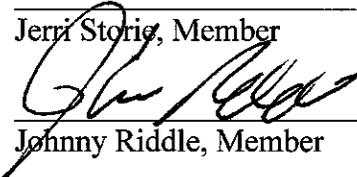


J. Jason Robinson  
Clerk to the Board



Walter Savage, Chairman

\_\_\_\_\_  
Jerri Storie, Member



Johnny Riddle, Member

(county seal)





*Attachment A*

Nathan Bennett, County Manager

Walter Savage, Chairman

Jerri Storie, Commissioner

Johnny Riddle, Commissioner

## YANCEY COUNTY

110 Town Square, Room 11 • Burnsville, North Carolina 28714  
PHONE: (828) 682-3971 • FAX: (828) 682-4301

### **AGENDA YANCEY COUNTY COMMISSIONERS REGULAR BUSINESS MEETING SEPTEMBER 1, 2009**

- I. Call to Order---Chairman Savage
- II. Invocation
- III. Approval of the Agenda
- IV. Public Comment
- V. Approval of Minutes---August 4, 2009 Regular Meeting; August 10, 2009 Public Hearing; August 10, 2009 Special Meeting; August 26, 2009 Special Meeting
- VI. Juvenile Crime Prevention Council Report---Joyce Watts
- VII. Funshine Camp Report---Lucy Wilson (Hands Across North Carolina)
- VIII. Resolution for the North Carolina Department of Transportation Secondary Road Program
- IX. North Carolina Forest Service Contract
- X. Tax Office---Releases and Refunds
- XI. Adjourn

## *Attachment B*

### Juvenile Crime Prevention Council (JCPC)

The Juvenile Crime Prevention Council (JCPC) of Yancey County allocates funds given by the General Assembly to the Department of Juvenile Justice and Delinquency Prevention for use of county government on a matching basis to establish and to maintain intervention and prevention services planned for by the JCPC. County JCPC's assist in the development of residential and non-residential community based, intervention and prevention programs for delinquent youth, undisciplined youth and those youth at risk of becoming delinquent. JCPC's fund programs which provide direct services to juveniles who have either been adjudicated delinquent or undisciplined, petitioned for delinquent acts or undisciplined behavior, diverted from intake or at-risk of becoming delinquent.

Each JCPC:

- Adopts and regularly reviews by-laws and policies;
- Meets statutory membership requirements;
- Ensures effective meetings to accomplish the work of the JCPC;
- Implements a planning process leading to a comprehensive JCPC plan to guide the work of the JCPC
- Increases public awareness of juvenile delinquency and its prevention;
- Encourages the development of additional funding streams to address delinquency prevention;
- Ensures accountability to the Department through submissions of its plan, certification and other requested reports.

Programs funded by the Yancey County JCPC include;

- Juvenile Mediation
- Counseling for Yancey Youth
- Mountain Challenge
- Project Challenge
- Administrative Funds

Each program will be presenting a short presentation at future County Commissioners meetings for further explanation of services being offered.

Presented by Joyce A. Watts Yancey JCPC Chair September 1, 2009

RESOLUTION

The Board of Commissioners for the County of Yancey County  
North Carolina, met in regular session at the Yancey Co. Court House  
in Yancey County, the usual place of meeting, at 7 PM,  
on 1 Sep 2009.

Present: Walter E. Savage, Chair  
Absent: Johnny Riddle, member

.....  
Chairman Savage introduced representatives of  
the Department of Transportation and a resolution recommending a program of total  
needs for Secondary Road improvements in Yancey County.  
The attached program details the proposed expenditures of Secondary Road  
Construction and Trust Funds for the period Jul 1 2009 - Jun 30, 2010

Commissioner Riddle moved that the  
foregoing resolution and attached program of total needs for Secondary Roads in  
Yancey County be approved:

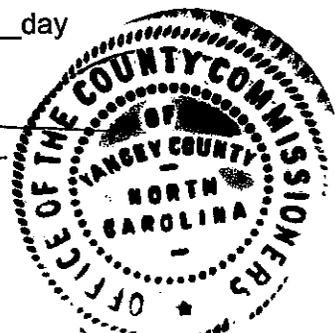
Ayes: Chairman Savage, Commissioner Riddle

Noes: none

.....  
I, J. Jason Robinson Clerk to the Board  
of Commissioners for Yancey County, North Carolina,  
DO HEREBY CERTIFY that the foregoing is a true copy of so much of the  
proceedings of the Board of Commissioners for said County at a meeting held  
on September 1, 2009, as relates in any way to Secondary Road  
Construction and Trust Funds for expenditures in said County, and that said  
proceedings are recorded in Minute Book 19 of the minutes of said Board,  
beginning at Page \_\_\_\_\_ and ending at Page \_\_\_\_\_.

Witness my hand and the official seal of said County, this 1st day  
of September, 2009.

J. Jason Robinson  
Clerk to the Board of Commissioners



STATE OF NORTH CAROLINA

Department of

Environment & Natural Resources

\$137,368  
Total Cooperative  
Appropriation

\$82,421            60%  
State

\$54,947            40%  
County

AGREEMENT FOR THE PROTECTION, DEVELOPMENT AND IMPROVEMENT  
OF FOREST LAND IN YANCEY COUNTY, NORTH CAROLINA

THIS AGREEMENT, made under authority of "An act to authorize Counties to cooperate with State in Forest Protection, Reforestation and promotion of Forest Management," (Section 113-59 of the general Statutes of North Carolina - 1943), and also under authority of another Section of the General Statutes, namely Section 113-54, by the North Carolina Department of Environment & Natural Resources (hereinafter Called the Department), party of the first part, and the Board of Commissioners of YANCEY COUNTY in the State of North Carolina (hereinafter called the Board), party of the second part, witnesseth:

That WHEREAS the said Board, recognizing the need for active forest protection, development, reforestation, management and improvement in YANCEY COUNTY, has accepted the offer of the Department for cooperation in accomplishing this object:

Now THEREFORE, in consideration of the mutual covenants hereinafter set forth, the said parties contract and agree to maintain a legally appointed and equipped Forest Ranger organization in said county at the joint cost of the State and County, insofar as the joint funds will permit, as follows:

Part I.            THE DEPARTMENT AGREES:

1. To select, employ and appoint, after consultation with the Board, a County Forester or County Forest Ranger for the purposes of controlling forest fires in said County; for detecting and extinguishing fires that break out; for investigating the origin of forest, woodland and field fires; for enforcing State forest fire laws; for taking such preventative measures, educational and otherwise, as shall seem necessary to prevent forest fires; for developing and improving the forests through reforestation promotion and practice of Forest Management practices; and for protection from insects and diseases.

2. To furnish to each Forester or Forest Ranger so employed a badge of office, stationery and report forms, instructional posters for use in the County, leaflets for distributing to landowners and others; to purchase necessary equipment, communication systems, and other Forestry improvements deemed necessary insofar as the joint funds will permit.

3. To pay the Forester or Forest Ranger for all official services rendered, at a fair rate of pay. Rates of pay are to be established by the Department in accord with existing State salary schedules.

4. To direct supervise, instruct, and inspect, through its agents, the work and conduct of the Forester or Forest Ranger, to discipline and, when necessary, discharge such Forester or Forest Ranger.

5. To submit to the Board of Commissioners monthly (or at other mutually satisfactory intervals) an itemized statement of all monies to be paid by the County and those paid by the Department for proper conduct of the work within said County.

6. To make available annually from State, Federal, and other funds allotted to it, the sum of Eighty-two Thousand, Four Hundred and Twenty-one Dollars (**\$82,421**) as its share of an annual budget of **\$137,368** for carrying the work in said County.

Part II. THE BOARD AGREES:

1. To pay to the Department 40 % of the total cost of the Forester or Forest Ranger salaries and expenses and of other proper expenditures made in connection with the over-all Forestry program in said County, upon receipt and consequent approval of the periodic statements submitted by the Department.

2. To appropriate annually the sum of Fifty-four Thousand, Nine Hundred and Forty-Seven Dollars (**\$54,947**) which sum shall be available for expenditure under the terms of this Agreement, and shall represent the County's share of the annual budget.

Part III. IT IS EXPRESSLY AGREED AND UNDERSTOOD BY BOTH PARTIES:

1. That this Agreement becomes effective **July 1, 2009**.

2. That the annual appropriations as set forth above may be revised by mutual agreement between the Department and the Board, based on the amount of annual appropriation desirable for the proper conduct of the Forestry work, such revision to become effective at the beginning of a given Fiscal Year. Any unused balance of County funds remaining at the end of a Fiscal Year shall revert to said County unless otherwise mutually agreed upon by both parties.

3. That the Board reimburse the Department as provided in Part II, Item 1, by forwarding a county voucher drawn in favor of the Department for the amount of the County's share of expenditures as set forth in the Department's periodic statement to the Board. That such payments be made by the Board within thirty days following receipt of the Department's billing.

4. That title to all improvements and equipment purchased and/or constructed in connection with this agreement will rest with the Department; such materials or their equivalent will remain in the County as long as this agreement is in effect, or as long as they are needed by the Department for the proper conduct of the work therein.

5. That the Forester or Forest Ranger periodically or at the request of the Board, shall present to the Board statements of the work being done within the County, so that said Board may be fully informed at the times regarding the Forestry finances and activities within the County.

IN WITNESS WHEREOF, the said parties do hereunto affix their names and seals upon the date herein below specified.

For the Board of County Commissioners of YANCEY COUNTY.

Date <sup>Sept.</sup> 1/09/2009 Walter E. Savage Chairman

Provisions for the payment of the monies to fall due under this Agreement have been made by appropriation duly made or by bonds or notes duly authorized, as required by the "County Fiscal Control Act."

Date 9/29/09 Brandi Parleson County Finance Officer

For the North Carolina Department of Environment & Natural Resources

Date \_\_\_\_\_ Signature

Director, Division of Forest Resources Title